

Remarks

Claims 1 and 6 have been amended to obviate the 35 USC 112, second paragraph indefiniteness rejection by deleting the restriction to “one” of the paths. The mis-spelling in claim 6 has also been eliminated.

As for the rejection of claims 1-22 under 35 USC 103(a) as unpatentable over the Holte-Rost et al patent in view of RFC 1269, applicants did not earlier appreciate that, as the Office has stated.

The broad claim language used... (maybe) interpreted on its face” as also readable on the different Holte-Rost et al patent if one considers their “input and output ports associated with a routing/service device” as broadly being paths”.

Appreciating applicants’ quite different invention, however, the Office has suggested that in order that the claims define over the references as thus so broadly read or interpreted, applicants should add “more functional language” that would more clearly distinguish from the reference.

Claims 1 and 6 and thus also dependent claims 2-5 and 7-22 have accordingly been amended as required to add the “more functional language” suggested by the Office. As amended, claims 1 and 6 now recite applicants’ (*not* Holte-Rost et al).

“pair of separate paths for routing data packets, each path containing *one or more router nodes successively connected between input and output router nodes*, the input and output router nodes being common to each path, etc.”

This now appears clearly and functionally to define over just input and output nodes alone, as in the system of the patent to Holte-Rost et al, and renders all of claims 1-22, particularly as amended, specifically limited to applicants’ novel system and incapable of being read on the different structure of the reference.

In reconsidering the information disclosure statement, applicants to this day do not know of any highly pertinent prior art and therefore have none to submit.


Reconsideration and allowance thus appear to be in order and are therefore respectfully requested.

Any cost required by this filing, including for any required time extensions, petition for which is hereby made, [and also including the RCE filing fees], may be charged to the Deposit Account No. 18-1425 of the undersigned attorneys.

Very respectfully,

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